

Conference on Disarmament

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
Held at the Palais des Nations, Geneva, on Tuesday, 5 June 2012, at 10.15 a.m.

President: Mr. Kahiluoto..... (Finland)

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The President: I declare open the 1260th plenary meeting of the Conference on Disarmament. As per the revised schedule of activities contained in document CD/WP.571/Rev.1, today's plenary meeting will be focusing on the issue of the prevention of an arms race in outer space. Before beginning our substantive discussion on this topic I would like to enquire whether any delegation wishes to raise any other issue first? That appears not to be the case.

As was the case for last week's discussion on fissile material, UNIDIR has provided some background notes for which I am grateful and which I will now read out as a statement by the President.

Further to my announcement on 31 May requesting the United Nations Institute for Disarmament Research (UNIDIR) to assist the presidency in structuring the plenary sessions during the Finnish Presidency and to present short factual presentations on the topic at hand in the beginning of each session, I will now provide the Conference the following abbreviated remarks as an introduction to the issue of prevention of an arms race in outer space (PAROS).

The Conference on Disarmament — then the Committee on Disarmament — began formal deliberations on prevention of an arms race in outer space (PAROS) in 1985, with the establishment of an ad hoc committee on PAROS. This followed from several earlier initiatives within the United Nations General Assembly — initiated by the then Soviet Union in 1981.

The United Nations General Assembly adopted two resolutions regarding arms control and outer space in 1981: resolution 36/97, sponsored by the Group of Western European and Other States, which asked the Committee to negotiate a treaty to ban anti-satellite (ASAT) weapons; and resolution 36/99, sponsored by the Group of Eastern European States, which urged the Committee to negotiate a treaty banning the placement of weapons in outer space. In 1982, General Assembly resolution 37/83 called on the then Committee on Disarmament to prioritize the issue of "the prevention of an arms race in outer space" and to establish an ad hoc committee during its 1983 session.

Thus the term PAROS was born as reflecting a compromise between the two earlier, more specific resolutions which in turn represent long-standing differences that exist to some extent to this day about how to prioritize threats to space security.

The Ad Hoc Committee was tasked to examine as a first step at this stage, through substantive and general consideration, issues relevant to the prevention of an arms race in outer space. The programme of work was established as follows: (1) Examination and consideration of issues relevant to PAROS; (2) Examination and consideration of existing agreements relevant to PAROS; and (3) Examination and consideration of existing proposals and future initiatives on PAROS.

Unfortunately, the fundamentally different perceptions of security threats, priorities and methods to address them ultimately doomed the Ad Hoc Committee's efforts. The Committee met annually from 1985 to 1994, each year failing to result in any agreed pathway forward. Differences among States included the question of whether or not new legally binding measures were required, what threats (anti-satellite weapons (ASATs) versus weapons in space) were actually real and present dangers, and whether the Committee's focus should be on substantive discussions or on developing a negotiation mandate. The Ad Hoc Committee's work finished at the end of its session in 1994; it was not re-established in 1995 because some member States wanted linkage between the continuation of the PAROS Committee and the Ad Hoc Committee on a Fissile Material (Cut-off) Treaty (FMCT). As such, neither

Committee was re-established. Indeed, the linkage between PAROS and FMCT for many years was the fundamental reason for the Conference's overall paralysis.

In the years since the Ad Hoc Committee's demise, interest in PAROS at the Conference was kept alive essentially by three member States: Canada, the People's Republic of China and the Russian Federation. In January 1998, Canada proposed a new ad hoc committee to negotiate the non-weaponization of outer space. In a February 2000 working paper, the People's Republic of China proposed that the PAROS Ad Hoc Committee be revived with a mandate to negotiate a new international legal instrument prohibiting the testing, deployment, and use of weapons, weapon systems and components in outer space. In 2002, China and the Russian Federation put forward a working paper outlining possible elements of a future treaty to prevent the deployment of weapons in outer space; in 2008 the two States submitted a draft treaty — based on refinement of their initial proposal in response to comments and discussions over the intervening years — on the prevention of the placement of weapons in outer space (PPWT). Between 2006 and 2009, Canada submitted four working papers on various PAROS-related issues, including verification of a treaty and transparency and confidence-building measures (TCBMs).

In 2009, with the adoption of decision CD/1864, the long stalemate at the Conference regarding its programme of work was broken — in part due to a compromise that delinked negotiations on PAROS and FMCT, instead providing a negotiating mandate on FMCT and a discussion mandate for PAROS. The programme of work, if effectively implemented, would have created a working group to discuss substantively, without limitation, all issues related to the prevention of an arms race in outer space. PAROS, however, continues to be seen as one of the core agenda items for the Conference and an eventual programme of work.

As the Conference continues its efforts to reach agreement on its future activities, member States should be aware of other ongoing efforts regarding space security that could impact future PAROS discussions in the Conference.

In 2010, the United Nations General Assembly established a United Nations Group of Governmental Experts (GGE) on Transparency and Confidence-Building Measures (TCBMs) in Outer Space Activities, to meet in 2012 and 2013. It should be remembered that a similar GGE — to study the application of confidence-building measures in outer space — resulted in a study that was the subject of positive follow-up consideration by this Conference's Ad Hoc Committee in 1994. If the current GGE is able to reach agreement on a report in 2013, the Conference potentially could again be in a position to take such work forward — although there continues to be some disagreement within the Conference between those member States who see TCBMs as a worthwhile pursuit in and of themselves and those who see value in TCBMs only if they are linked to pursuit of a legally binding treaty.

The second ongoing effort of note is the European Union's initiative to develop an international code of conduct for space activities, which is essentially a macrolevel norm-setting approach. The EU is today, 5 June 2012, presenting its latest draft at an experts meeting in Vienna and will be launching a political process to refine the text and broaden support. The current draft text covers both military and non-military uses of space, and some TCBM-type elements that again would require consideration in any future PAROS discussions or negotiations within the Conference on Disarmament.

Finally, the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS) in Vienna is working to develop best-practice guidelines for space

activities in order to promote the long-term sustainability of space. This is a largely technical undertaking and the Committee has no mandate to discuss military space operations. However, many of the foundational issues that are being discussed, such as exchange of data on orbital objects and notification of planned measures are also foundational aspects of any future TCBM or treaty regime. This work is set to conclude with a proposed list of voluntary best practices in 2014.

Thus, in conclusion, there is a vast and growing body of work on PAROS and related issues that the Conference could draw upon in its future discussions or negotiations. This, in and of itself, is a source for optimism that if the Conference on Disarmament begins work on PAROS, progress toward multilateral solutions could be forthcoming relatively rapidly.

At this time I would like to open the floor for delegations. I give the floor first to the representative of the Russian Federation.

Mr. Borodavkin (Russian Federation) (*spoke in Russian*): The Russian Federation considers the prevention of an arms race in outer space to be high on the agenda of the Conference on Disarmament.

Today, over 130 States are involved in peaceful activities in space, either through their own space programmes or through information received from space research.

At the same time, the use of space-based systems for military purposes is growing worldwide. The Russian Federation is no exception. Military space systems, in the regular course of their operations, reinforce strategic stability and international security by creating a more open and predictable regime for military activity and permitting oversight of compliance with treaties on arms limitation. Such activities are carried out in conformity with international law. While the Russian Federation's space systems have a military dimension, they are not weapons, for they are not designed to defeat an opponent in armed warfare and they pose no threat of attack in space or from space.

The placement of weapons in orbit to strike an opponent's installations in space or on land would not only undermine the existing treaty regime for arms limitation, particularly limitation of nuclear missiles, but would also provoke a new round in the arms race. In other words, turning outer space into a potential theatre for military confrontation could jeopardize strategic stability and erode international security.

The militarization of outer space and its prevention is nothing new. The Outer Space Treaty was concluded in 1967, prohibiting the placement of weapons of mass destruction on the moon and other celestial bodies. Thus, nearly half a century ago, our predecessors recognized the importance of taking steps to prevent the placement of weapons in outer space. This task is all the more urgent today.

That is why the Russian Federation has proposed an array of practical initiatives aimed at neutralizing the threat. Among these initiatives, Russia has taken such important steps towards developing transparency and building confidence in space activities as the advance notification of upcoming launches of space objects, their purpose and their main orbital parameters. We have announced that we have no plans to develop any space weapon systems or to place them in near-Earth orbit. Russia continues to observe its moratorium on anti-satellite weapons testing. In October 2004, at the fifty-ninth session of the General Assembly, Russia unilaterally and unconditionally announced that it would not be the first to place weapons of any kind in outer space. Our partners in CSTO supported this initiative and undertook a collective obligation to refrain from placing weapons in space.

We call on all States that possess the same capability to follow our lead.

The question of preventing an arms race in outer space is being studied in depth at the Conference on Disarmament. Delegations are addressing this key agenda item intensively in various formats – at official plenary meetings, during informal discussions and at yearly international conferences.

The existing international legal instruments on arms control and disarmament relevant to outer space, including bilateral agreements and legal regimes, play a positive role and should be rigorously observed. Unfortunately, however, as a result of their limitations, they are incapable of actually preventing the deployment of space-based weapons or an arms race in outer space.

To do away with this threat, a new international legal instrument is needed. For this purpose, on 12 February 2008, Russia and China submitted to the Conference a draft treaty on prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects, issued as an official Conference document (CD/1839).

In this document, Russia and China have striven to cover all of the most essential aspects of strengthening military security in outer space.

The preamble to the draft contains general provisions on the objectives of the proposed treaty, the most important among which are preventing the placement of weapons in outer space and ensuring the undisturbed functioning of space objects.

The draft sets out a number of descriptions and definitions that we proposed with a view to the unambiguous understanding of our text.

An important aspect of the Russian-Chinese draft treaty is the provisions regulating the work of the executive organization which is to be established to implement the objectives and provisions of the treaty.

Measures to verify compliance with the treaty either form part of the treaty itself or may become the subject of an additional protocol.

We note with satisfaction that the Russian-Chinese draft has generated much interest in the international community. During discussions on the draft's content, we have received a number of requests for clarification of the text. We have compiled these questions and have provided detailed responses.

Nothing in the Russian-Chinese draft is "written in stone". The text is by no means a fixed formula; rather, it is an invitation to dialogue and joint creativity. We are grateful to all the Governments that have participated in the discussion of the draft.

Since the Conference on Disarmament has so far, most unfortunately, been unable to begin discussions, either on the draft treaty on prevention of placement of weapons in outer space, or on the other items of its agenda, we think it would be advisable to promote the development of transparency and confidence-building measures in outer space. At its sixty-fifth session, on 8 December 2010, the General Assembly adopted resolution 65/68, containing an appeal to the Secretary-General of the United Nations to set up a group of governmental experts, on the basis of equitable geographical distribution, to conduct research as from 2012 on transparency and confidence-building measures in outer space. This research is to be submitted to the General Assembly in 2013, at its sixty-eighth session. In this regard, we believe that by taking these steps, which are no substitute for efforts to prevent the arms race in outer space, we will promote greater transparency and predictability in space activities in all areas, including military applications.

We intend to give the Conference detailed accounts about the work of the group. We call on all Governments to send their proposals on these matters to the Secretary-General to be taken into account in the work of the group of governmental experts.

We note with satisfaction that the international community is increasingly aware and supportive of the need to develop confidence-building measures in space. We are examining and considering the proposals of other countries on these matters. We note with particular approval the draft code of conduct for outer space activities proposed by the European Union, and we are prepared to take part in finalizing it on a multilateral basis.

The vast majority of participants in the Conference on Disarmament agree with us that preventing an arms race in outer space is of the utmost importance for preserving international security now and, most importantly, in the future; most participants consider the Russian-Chinese draft treaty on prevention of the placement of weapons in outer space to be a good basis for discussions. We believe that in-depth discussions at the Conference on Disarmament should be continued and that we must ultimately move towards the negotiation phase. We shall insist that this idea should be reflected in the Conference's programme of work.

The President: I thank the representative of the Russian Federation for his statement and I would now give the floor to the representative of the People's Republic of China.

Mr. Wu Haitao (China) (*spoke in Chinese*): Mr. President, outer space is the common heritage of all mankind, and lasting peace in outer space goes hand in hand with the security, development and prosperity of all nations of the world. The prevention of an arms race in outer space is one of the Conference's core issues and is an important aspect of preserving international peace and security. China has consistently advocated the peaceful use of outer space and opposed the weaponization of and engagement in an arms race in outer space, actively promoting the negotiation of an international legal instrument in this regard. I would like to take this opportunity to share a few of the Chinese delegation's views about how to maintain security in outer space and prevent an arms race in outer space.

First, the prospect of an arms race in outer space poses a real security challenge for the international community. The primary means of maintaining security in outer space is through the negotiation and conclusion of an international legal instrument on outer space. With scientific and technological developments and mankind's increasing use of outer space, the risk of an arms race in outer space is constantly increasing. For one thing, there is a clear trend towards the weaponization of outer space, and several space-based weapons platforms have already reached the stage at which they are ready for deployment and actual military use. In addition, military doctrines advocating space warfare and a race to control and dominate outer space are taking shape, and these developments will have far-reaching implications for security in outer space and for the international strategic situation. Our immediate priority should be to take effective preventive measures by negotiating and concluding a legal instrument on the prevention of an arms race in outer space, filling the current gaps in the legal framework on security in outer space and preventing its weaponization by heading it off and establishing legal mechanisms.

Second, the basic conditions needed to negotiate and conclude a new legal instrument on outer space are already in place. For 30 years in a row, since 1982, the General Assembly has by an overwhelming majority adopted resolutions on the prevention of an arms race in outer space, in which it has called for the negotiation and conclusion of a legal instrument on outer space. Most States are in favour of immediately launching negotiations on the prevention of an arms race in outer space, and for 10 years running, from 1985 to 1994, the Conference annually established ad hoc committees on outer space and held in-depth discussions on related issues such as definitions, rules and regulations and relationships with existing treaties. Since then, the Conference has continued to study and discuss the issue at great length, and the parties have submitted a wealth of valuable

working papers. Those efforts and achievements have laid a solid foundation for the negotiation and conclusion of a new legal instrument on outer space.

Third, the draft treaty on prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects (PPWT), which China and the Russian Federation jointly submitted in 2008, is the most ripe of all the proposals put forward in the Conference to date on the subject of outer space. The draft treaty clearly prohibits the placement of weapons in outer space by any method and the threat or use of force against outer space objects, and it would be able to head off and thus prevent the weaponization of outer space. It would not affect States parties' peaceful use of outer space or their legitimate exercise of self-defence. In August 2009, in the light of comments and questions on the subject, China and the Russian Federation jointly submitted to the Conference a working paper addressing the principal questions and comments on the draft treaty (CD/1872), providing further clarification and explanation on issues of concern to States, such as definitions, scope and verification. It should be noted that the draft was prepared in an open and transparent manner and required many years of discussions. It is a singular achievement, bringing together the views and proposals of many member States. The draft treaty does not just represent the views of China and the Russian Federation; the wisdom and painstaking efforts of a number of other member States as well take concrete form in the draft. China looks forward to the early start of negotiations in the Conference on the basis of the draft treaty.

Fourth, the prevention of an arms race in outer space and transparency and confidence-building measures (TCBMs) in outer space activities are not mutually exclusive; rather, they complement each other. The United Nations Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities will soon begin its work, and the European Union has convened a multilateral meeting of experts in Vienna on the Code of Conduct for Outer Space Activities. China is of the view that appropriate, viable TCBMs play a positive role, enhancing mutual trust, preventing misunderstandings and regulating outer space activities. Such measures can be a useful complement to the process to prevent weaponization and an arms race in outer space. China supports efforts to establish TCBMs. We believe that the United Nations Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities will serve as an authoritative platform for the discussion of confidence-building measures in outer space activities. However, when discussing voluntary confidence-building measures in outer space activities, States should not wilfully ignore the dangers of the weaponization of outer space or of an arms race in outer space. Advocating TCBMs is no substitute for preventing an arms race in outer space. This must not block the Conference from beginning work on the basis of the draft treaty on prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects. We hope that a synergy will be created between these two processes and that they will help to eliminate the risk of the weaponization of outer space and in practical terms to maintain security in outer space.

The President: I thank the representative of the People's Republic of China for his statement and I give the floor to the representative of Canada.

Ms. Anderson (Canada): There is an urgent need to ensure secure and appropriate access to space. Services which depend on space-based assets, such as communications, navigation, and disaster response, to name just a few, have become the indispensable utilities of many societies and, indeed, for international commerce and cooperation. Although still prohibitive to many, the technical and economic barriers which impede many States' access to the space domain are steadily dropping, and today more than 60 nations and commercial enterprises have deployed their own assets in space. Canada welcomes this development.

A growing number of nations consider such space assets to form part of their critical national infrastructure. Our discussion here will contribute to a shared understanding of the risks, rights and obligations associated with the use of outer space. While it is true that a rapid expansion of the numbers of deployed spacecraft will increase congestion and competition for suitable orbits, Canada believes that international awareness of the related space security issues is also expanding apace. Canada believes that transparency and confidence-building measures among spacefaring nations are key steps towards mitigating the risks we all face, including the significant dangers posed by navigational hazards such as space debris.

Momentum is clearly building for the development of international norms for the responsible use of space by all actors. Canada has consistently opposed the weaponization of space. You will recall that we have proposed measures in this forum that call for a ban on the placement of weapons in outer space, the prohibition of the use of satellites themselves as weapons and the prohibition of the testing and use of weapons on satellites so as to damage or destroy them.

We continue to urge member delegations to give thoughtful consideration to this proposal and stand ready to discuss this and other confidence-building measures.

Unfortunately, as we are too well aware, progress on this issue has not been possible in the Conference of Disarmament. Canada welcomes the practical initiatives that are being pursued on a range of space issues in various forums to increase transparency and contribute to confidence-building efforts.

(continued in French)

Space debris, in particular, currently represents a significant hazard affecting both manned and unmanned spacecraft in orbit, and it is a worsening problem. Canada believes that it is the responsibility of every space-faring nation to make good faith efforts to minimize the production of space debris and other navigational hazards resulting from their activities. Prevention alone, however, is not enough. It is therefore time for the international community to examine practical methods for removing space debris from useable orbits.

Canada welcomes and encourages both the development and implementation of debris mitigation standards, which some spacefaring nations have done, as well as transparency and confidence-building initiatives. In this regard, we welcome the establishment of the Working Group on the Long-Term Sustainability of Outer Space by the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS). Canada has designated one representative to each of the four groups of experts. We strongly support its work, in particular its study of workable methods for dealing with space debris. In addition, Canada supports new negotiations on developing an international code of conduct for outer space activities. Such a code would be an important step in establishing clear international norms for the responsible use of space. Canada will take a very close interest in the work of the Group of Governmental Experts on Outer Space and Transparency and Confidence-building Measures, and it hopes that this process will lead to helpful and concrete proposals. Canada views the various space security initiatives as complementary and believes that we are now moving towards a common understanding of the responsible use of space, which is a crucial step towards the development of internationally recognized norms.

It is regrettable that the Conference is not able to do more to achieve its goals, within the context of a programme of work.

The President: I thank the representative of Canada for her statement. Now I give the floor to the representative of Turkey.

Mr. Ercan (Turkey): Turkey's use of outer space has grown significantly over the years. A Turkish company, namely "Türksat Joint Stock Company", currently owns and operates three satellites. These are Türksat 1C, 2A and 3 launched in 1996, 2001 and 2008 respectively. Turkey's first satellite Türksat 1B, which served between 1994 and 2006, is now retired. Work is under way to launch two additional communication satellites, namely Türksat 4A and 4B, probably in 2013.

Turkey relies on these space-based assets for data and voice communication, navigation, broadcasting, cable television and Internet. Naturally, as science and technology develops, the reliance on satellite technology will grow.

In this connection, Turkey attaches particular importance to the peaceful use of outer space. We support the views and proposals on strengthening the existing international legal framework directed at preventing an arms race in outer space. For Turkey, protecting the right of unrestricted access to and use of outer space for peaceful purposes is more important than the shape and modalities of the discussion.

Turkey is also sensitive to risks posed by space debris. This is an area where we all have to work together in order to establish effective international cooperation mechanisms without further delay. This is urgent. With these thoughts, Turkey supported the resolutions on international cooperation in the peaceful uses of outer space and on prevention of an arms race in outer space at the First Committee of the sixty-sixth session of the United Nations General Assembly. We see merit in discussing these issues in the Conference on Disarmament.

As with other transparency and confidence-building measures, Turkey will closely follow the discussions on the revised draft code of conduct.

We believe that the presentation by the Russian Federation and the People's Republic of China of the draft treaty on prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects (PPWT) in February 2008 enriched our discussions on this issue. Furthermore, meetings held with the United Nations Committee on the Peaceful Uses of Outer Space (COPUOS) gave further insight to our discussions.

Problems we are discussing at this session also originate from the dual-use nature of space assets as well as the blurred distinction between civilian and military use of outer space. We believe that the Conference on Disarmament and the relevant United Nations institutions responsible for space-related issues should enhance the cooperation among themselves. Effective cooperation and coordination will pave the way for establishing the international legal and regulatory framework to facilitate the peaceful use of outer space.

At present, we have to make the best use of existing transparency and confidence-building measures i.e. the international code of conduct. We encourage subscribing States to abide especially by the pre-launch notifications of the international code of conduct.

The President: I thank the representative of Turkey for his statement and I give now the floor to the representative of Kazakhstan.

Mr. Tileuberdi (Kazakhstan): Kazakhstan attaches primary importance to the prevention of an arms race in outer space and our delegation fully supports efforts taken by the Finnish Presidency and the P6 to hold these thematic discussions. We are sure a legally binding international agreement on PAROS will reinforce the existing multilateral instruments.

Our keen interest in this issue also stems from our aspiration to explore and to use outer space only for peaceful purposes.

Our country has its own space-development programme and is involved in multilateral cooperation since Kazakhstan possesses the largest and most technologically advanced cosmodrome in the world, Baikonur.

It is well known that the Baikonur space port belongs to Kazakhstan and is leased to Russia until 2050. Today Baikonur is the only international space station which launches annually more than 20 carrier rockets of various types. Our joint exploitation of Baikonur with Russia expands gradually as stipulated by our bilateral commitments and in strict compliance with the existing international instruments, where peaceful use of outer space, security issues and other aspects of this activity are encompassed.

We are very interested in fostering our interaction both with States and international organizations.

In 2009 a strategic partnership in the field of space activities was established between Kazakhstan and France. On the basis of the intergovernmental agreement we are working in two directions: construction of a space system for the remote sensing of Kazakhstan territory and projects on assembling and testing spacecraft in Astana.

Along with Russia and France, Kazakhstan has signed agreements on exploration and use of outer space for peaceful purposes with the Governments and space agencies of China, Germany, India, Israel, Japan, South Korea and Ukraine. We have similar agreements with Saudi Arabia, United Arab Emirates and Thailand.

Kazakhstan fruitfully enhances its cooperation with COPUOS and other international organizations. Since joining the Missile Technology Control Regime (MTCR) Kazakhstan meets all requirements of the MTCR for accession to international treaties on the non-proliferation of weapons of mass destruction. Our Government has adopted a package of regulations to ensure the effective export control of missile systems, components and technologies.

Kazakhstan is committed to all existing international legislation for peaceful uses of outer space and values the role of the current legal regime applicable to outer space.

Immediate resumption of negotiations within the Conference on Disarmament to further develop multilateral instruments to ban deployment of weapons of mass destruction as well as to prevent any consequences of activities of States in this environment is a matter of paramount importance.

Kazakhstan supports the draft treaty on the prevention and placement of weapons in outer space and of the threat or use of force against outer space objects, submitted by the Russian Federation and China.

In this respect, we call upon all delegations to review the draft for discussion and an exchange of views on this matter.

The progress on the adoption of these documents will certainly promote political dialogue and contribute to ensuring security and efficient control over various categories of weapons in outer space. Our delegation is ready to commence negotiation on these drafts.

The President: I thank the representative of Kazakhstan for his statement and I would now give the floor to the representative of Denmark, speaking on behalf of the European Union.

Mr. Iliopoulos (Denmark): I have the honour to speak on behalf of the European Union and its member States. The acceding country Croatia, the candidate countries the former Yugoslav Republic of Macedonia, Montenegro, Iceland and Serbia, the countries of the stabilization and association process and potential candidates Albania and Bosnia and

Herzegovina as well as the Republic of Moldova and Georgia align themselves with this declaration.

Space activities are expanding and their importance is crucial. Space is a resource for all countries in the world. Those which do not yet have space activities will have them in the future. The EU and its member States have a long-standing position in favour of the enhancement of the multilateral framework concerning the preservation of a peaceful, safe and secure environment in outer space and its use on an equitable and mutually acceptable basis. We stress that the prevention of an arms race in outer space and the need to prevent outer space from becoming an area of conflict are essential conditions for the strengthening of strategic stability. We are fully committed to strengthening the security of activities in outer space that contribute to the development and security of States. To this end, the EU and its member States aim at promoting international cooperation in the exploration and use of outer space for peaceful purposes.

The EU member States voted in favour of United Nations General Assembly resolution 66/27 on prevention of an arms race in outer space and in favour of decision 66/517 on transparency and confidence-building measures in outer space activities which followed resolution 65/68 from the previous year, also supported by all EU member States. We look forward to working constructively within the Group of Governmental Experts (GGE) established by this latter resolution and which will meet for the first time in July this year.

We are grateful to you, Mr. President, for organizing these discussions today. We appreciate in particular the efforts of the Russian Federation and the People's Republic of China to put the subject on the international agenda with the aim of enhancing international space security. We took note with interest of the proposal for a draft treaty on the prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects (PPWT) in 2008 in the Conference on Disarmament. We have noted ideas for a legally binding prohibition on testing and use of anti-satellite weapons.

Concerning the PPWT, we have indicated that, while it identifies itself with the overall goal to preserve outer space as an area free from armed conflict, further reflection and work is required on the elements for an effective international treaty. For example, it remains a difficult challenge to achieve consensus on the definitions needed for a legally binding instrument. As a matter of principle, an effective and robust verification system must be an integral part of any future treaty concerned with space security. We consider it is not sufficient to only refer to a possible future additional protocol. Also any PPWT would need to clearly address the issue of anti-satellite weapons tests. These difficulties should however not prevent us from working on the issues contained in this proposal.

The European Union is committed to the development and implementation of transparency and confidence-building measures, as a means to achieve concrete, rapid and enhanced safety and security in outer space. We are also particularly sensitive to the issue of the risks posed by space debris which are detrimental to present and future activities.

In its reply to United Nations General Assembly resolution 61/75 in September 2007, the European Union underlined that voluntary rules of the road on outer space activities endorsing best practices between space actors would serve this objective. The European Union promotes the elaboration of an international and voluntary set of guidelines, a tool that would strengthen safety, security and predictability of all space activities. Such guidelines should, among other things, limit or minimize harmful interference, collisions or accidents in outer space, as well as the creation of debris. Events in recent years, including a collision between United States and Russian satellites, prove that security in outer space goes beyond the consideration related to the placement of weapons in space.

In this context, the European Union launched in 2008 a proposal, on the basis of a preliminary draft, for an international code of conduct for outer space activities. Based on a new draft agreed in September 2010, the European Union High Representative carried out further and wider consultations with the aim of establishing a text that would be acceptable to the greatest number of countries and of adopting the code of conduct at an ad hoc diplomatic conference. On the basis of these consultations, a new working document consisting of a revised draft of the international code of conduct for outer space activities is being officially presented at the multilateral meeting which takes place in Vienna just today, 5 June 2012. This meeting will serve to present the way forward and to exchange views on this initiative, in view of upcoming negotiations on the draft proposal in coming months. This meeting will also give the opportunity to UNIDIR to present and officially launch a project, supported by the EU, in order to facilitate information dissemination and exchange of views on the concept of the code. Copies of the revised draft of the code are available in this room.

The draft code of conduct for outer space activities is based on three principles: freedom for all to use outer space for peaceful purposes; preservation of the security and integrity of space objects in orbit; and due consideration for the legitimate security and defence needs of States.

Our proposed draft foresees that the code would be applicable to all outer space activities conducted by States or non-governmental entities. The draft code would be voluntary and open to all States. It would lay down the basic rules to be observed by spacefaring nations in both civil and military space activities. The purpose of the draft code is not to compete with or substitute initiatives dealing specifically with the placement of weapons in outer space. On the contrary, as a transparency and confidence-building measure, the draft code does insist on the importance of taking all necessary measures in order to prevent space from becoming an area of conflict and calls on nations to resolve any disputes in outer space by peaceful means. It could be a valuable and tangible contribution to upcoming discussions in the Group of Governmental Experts. While the EU stands ready to present its initiative at the July GGE meeting, that forum is not the place for its negotiation.

The President: I thank the representative of Denmark, speaking on behalf of the European Union, for his statement and I now give the floor to the representative of Belarus.

Mr. Grinevich (Belarus) (*spoke in Russian*): Belarus considers the prevention of an arms race in outer space to be one of the key items on the Conference's agenda.

Our position is based on the assumption that the core legally binding international instruments that directly regulate State activities in this area are still the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, the 1967 Outer Space Treaty and the 1979 Moon Agreement.

Other extremely important international agreements of relevance in today's discussion are the 1968 Agreement on the Rescue of Astronauts, the 1972 Convention on International Liability for Damage Caused by Space Objects and the 1975 Convention on Registration of Objects Launched into Outer Space.

Belarus believes that all of the above-mentioned agreements have played an important role in preventing the arms race in outer space and have defined the parameters of the international responsibility of States for their research and space exploration for peaceful purposes.

Our country advocates unswerving compliance by all States with these international instruments. We also support efforts to achieve universal adherence to such instruments.

Belarus acknowledges, however, that there are certain gaps in the space law currently in force.

Accordingly, we support the proposals for the Conference to develop a treaty to prohibit the militarization of outer space.

In our view, the most appropriate basis for such an effort is the draft treaty on prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects, submitted by Russia and China (document CD/1839 of 28 February 2008).

Adopting such a treaty would contribute significantly to efforts to fill the specific gaps and unresolved issues in existing treaties on space law.

As a proponent of a preventive approach, Belarus believes that the international community should take all possible measures to develop the proposed treaty before the presence of weapons in near-Earth orbit becomes a reality.

Although a number of States consider that the Conference's discussions under this agenda item should focus on confidence-building measures, this would not offer a comprehensive solution to the problem of preserving peace in outer space. In this regard, the Conference must not duplicate the efforts of other multilateral forums and groups, such as the Committee on the Peaceful Uses of Outer Space and the corresponding Group of Governmental Experts within the framework of the United Nations.

The President: I thank the representative of Belarus for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of the Republic of Korea.

Mr. Kwon Haeryong (Republic of Korea): The Republic of Korea attaches great importance to the discussion on the prevention of arms race in outer space (PAROS). Over the past five decades, our ventures into space have made unprecedented contributions to the well-being of mankind by facilitating progress towards sustainable development. At the same time, as the number of satellites increases, so does the amount of space debris in outer space as well as the increased likelihood of corresponding collisions. In this regard, the enhancement of the multilateral framework concerning the preservation of a peaceful, safe and secure environment in outer space is urgently needed. There seems to be a growing consensus in the international community that the existing outer space framework remains desirable.

My delegation believes that the existing outer space framework can be made better, firstly by improving the implementation and universalization of the existing international regime, secondly by developing transparency and confidence-building measures, and thirdly by introducing a new legally binding instrument. I would like to emphasize that these three approaches are not mutually exclusive and need to be explored in a balanced way. Indeed, we already have seen meaningful progress on all three areas.

First, as a party to the Outer Space Treaty and other related conventions, the Republic of Korea actively supports the efforts to promote understanding, acceptance and implementation of the existing international regime. Over the past 50 years, we have found ways to promote universal adherence to, and ensure full compliance with, existing agreements and arrangements made by spacefaring nations. Progress is evidenced by the increased number of States parties to agreements such as the Hague Code of Conduct as well as to raise awareness among States of their obligations regarding outer space activities. In this regard, the Republic of Korea will play an active role as Chair of the Hague Code of Conduct from this month.

Second, transparency and confidence-building measures (TCBMs) are highly important elements in ensuring multilateral cooperation with regard to the peaceful uses of outer space. TCBMs help ensure stability and security in outer space by reducing tensions and preventing conflicts. Considering the huge impact of long-term human activities in space, the need for international coordination remains great. In this regard, the Republic of Korea looks forward to actively participating in the work of the Group of Governmental Experts in 2012–2013, which is scheduled to have its first meeting from 23 to 27 July in New York.

In addition, there is some encouraging progress in TCBMs. We appreciate the European Union's endeavours to elaborate on the draft code of conduct on outer space activities as a concrete effort to enhance TCBMs. The Republic of Korea participated in the high-level meeting on the code of conduct on outer space activities held on 30 March in Brussels, along with 26 spacefaring States. My Government also looks forward to a multilateral experts meeting on the same subject on the occasion of COPUOS in June.

Third, with regard to the efforts in seeking a new legally binding instrument, my delegation takes note of the submission of the draft treaty on the prevention of the placement of weapons in outer space, and of the threat or use of force against outer space objects (PPWT) by China and the Russian Federation. The draft PPWT may be used as a useful reference in substantive discussions when the Conference on Disarmament adopts a programme of work.

Lastly, my delegation would like to emphasize that the discussion of PAROS in the Conference on Disarmament will benefit from close cooperation and enhanced dialogue in other forums, such as COPUOS, the First and Fourth Committees of the United Nations, and the International Telecommunications Union. We will be able to achieve maximum synergy by sharing respective expertise and experience from various international forums.

The President: I thank the representative of the Republic of Korea for his statement and I now give the floor to the representative of Indonesia.

Ms. Wardhani (Indonesia): Mr. President, as this is Indonesia's first intervention under your presidency of the Conference, I would like to take this opportunity to congratulate you on your assumption of the presidency and assure you of Indonesia's support in your task.

Indonesia reaffirms that the Conference on Disarmament, as the sole forum for multilateral negotiations, must discuss the issue of an arms race in outer space and focus on finding ways to avert an arms race in outer space.

The prevention of an arms race in outer space has assumed greater urgency in light of the legitimate concerns that the existing legal instruments are inadequate to deter the militarization and weaponization of outer space.

In this regard, my delegation would like to recall that Indonesia, together with China, Russia, Belarus, Viet Nam, Zimbabwe and Syria, presented working paper CD/1679, dated 28 June 2002, which outlined the possible elements for a future international legal agreement on the prevention of the deployment of weapons in outer space and the threat or use of force against objects in outer space.

My delegation believes that this working paper still has its relevance to the item under discussion.

Norms, transparency, confidence-building measures, codes of conduct, as well as voluntary mechanisms are also important complementary elements for any future international legal instrument for preventing the weaponization of outer space.

As far as the international legal instrument is concerned, we welcome the joint Russian/Chinese initiative as contained in document CD/1839 on the draft treaty on prevention of the placement of weapons in outer space and of the threat or use of force against outer space objects, which we believe deserves further consideration.

Allow me also to recall that United Nations General Assembly resolution 66/27 on prevention of an arms race in outer space reaffirms the importance and urgency of preventing an arms race in outer space and the readiness of all States to contribute to that common objective. The resolution also invites the Conference on Disarmament to establish a working group to discuss issues related to the prevention of an arms race in outer space.

In conclusion, my delegation would like to underline that all States have a responsibility to refrain from engaging in any activity which could jeopardize the collective goal of maintaining a weapon-free outer space. We firmly believe that the exploration and use of outer space and other celestial bodies should have solely peaceful objectives and be of benefit to all States.

The President: I thank the representative of Indonesia for her statement and for the kind words addressed to the Chair. I now give the floor to the representative of France.

Mr. Simon-Michel (France) (*spoke in French*): France fully endorses the statement just delivered on behalf of the European Union.

Space has become an essential part of modern life. It has countless peaceful applications, ranging from telecommunications to land, air and sea navigation to meteorology. Space is of course equally fundamental for international security.

True to our long-standing position, France remains committed to preserving peace and security in outer space and to developing space activities for peaceful purposes. With that in mind, France is concerned to avoid an arms race in outer space. We have noted the initiative of the Russian Federation and China in this forum, in 2008, on the prevention of the placement of weapons in outer space. We remain open to pursuing discussions on the prevention of an arms race in outer space within the Conference on Disarmament, within the context of an agreed programme of work.

France considers that a new, legally binding instrument on preventing an arms race in outer space would provide a real security gain only if it were comprehensive, specific, universal and credible. In that context, it is first necessary to overcome several difficulties. I shall mention just a few: How to define outer space and, in particular, the notion of "weapons in outer space"? How to formulate specific prohibitions regarding the development of ground-based anti-satellite weapons, which are the most developed anti-satellite weapons today? How to put in place a credible regime to verify and monitor space weapons?

There are no straightforward answers to these questions. It is clear that drawing up such a treaty would inevitably be a lengthy process, whereas real and urgent problems call for pragmatic and swift solutions, which moreover are in no way incompatible with such a legally binding instrument.

France has therefore supported the creation of the Group of Governmental Experts on Outer Space and Transparency and Confidence-building Measures, established under United Nations General Assembly resolution 65/68, within the context of which all these questions can be addressed.

Mr. President, the uses of space and space technologies are twofold. Likewise, the problems which we have to solve are not only military. For instance, the growing number of players and the rapid expansion of outer space activities generate risks to the security of objects placed there. One of the main threats to activities in outer space is the growth in the

amount of space debris. The problems we face are security problems in the broadest sense and require responses that cover both civil and military aspects.

For this reason, and given the urgency of the situation, France wishes to promote, in the relevant forums and among countries which conduct space activities or intend to do so, the security of space activities through voluntary transparency and confidence-building measures acceptable to the greatest number of States. This is why we give our full support to the draft International Code of Conduct for Outer Space Activities launched in 2008, a new version of which will be presented in Vienna today.

As we have had the opportunity to state many times in this forum, we are very committed to the three major principles that have guided the creation of this code and that in our opinion should govern space activities. These are freedom of access to space for peaceful purposes; preservation of the security and integrity of space objects in orbit; and respect for the right of States to self-defence.

One of our priorities is to ensure that the space environment enables the development of space activities for peaceful purposes to the benefit of all.

The ongoing work on the code of conduct with a view to developing information-sharing, confidence-building measures and best practice for space activities fully meets this objective because in our opinion it will develop confidence and understanding between space stakeholders, thereby effectively contributing to the long-term sustainability of outer space activities.

Promoting transparency in order to build confidence will help prevent accidents and collisions of space objects. It will also help prevent malicious acts from going unnoticed or space incidents from systematically being interpreted as hostile action. It will therefore enhance the security of space activities.

The President: I thank the representative of France for his statement and I give now the floor to the representative of India.

Ms. Mehta (India): My delegation supports the substantive consideration of the issue of prevention of arms race in outer space or PAROS in this Conference, where it has been on the agenda since 1982. Peaceful applications of outer space are increasingly prevalent, and many more countries — developed and developing — aspire to gain access to outer space today and to deploy space assets for a vast array of applications. As this global commons gets more populated and crowded, and as technology develops rapidly it becomes natural to ask if the current international legal framework on outer space, devised at the dawn of the space age more than three decades ago, is adequate to address space security challenges both contemporary and future.

India is not in favour of the weaponization of outer space. We believe that it is imperative to safeguard outer space as the common heritage of humankind and preserve and promote the benefits flowing from advances made in space technology and its applications for all. Achieving this objective will require a step-by-step process wherein legal measures are complemented by transparency and confidence-building measures, as well as by arrangements that are non-discriminatory and have broad international acceptability.

Given the global dimension of space activity, ad hoc and partial arrangements cannot be the way forward. Outer space should not become an arena of competitive policies but a new and expanding frontier of cooperative activity. This places a responsibility on spacefaring countries to contribute to international efforts to advance the step-by-step process for achieving legally binding measures complemented by TCBMs.

India has been a pioneer in harnessing space technology for national development. We support international efforts to reinforce the safety and security of space-based assets

and to prevent the placement of weapons in outer space. Some of our colleagues are meeting today in Vienna to discuss a proposal from the European Union for an international code of conduct on outer space. A United Nations Group of Governmental Experts will convene next month in New York to consider transparency and confidence-building measures in outer space. While non-discriminatory and universally acceptable TCBMs can be useful complementary measures, our objective should be the negotiation of legally binding instruments that enhance security in space and for all space users. Here in Geneva in the Conference, our first priority is to agree on a programme of work that allows us to commence substantive work, including inter alia negotiations on PAROS in a subsidiary body of the Conference. Once that happens, there are a number of proposals, including for a draft treaty, which may be considered further.

The President: I thank the representative of India for her statement and I now give the floor to the representative of the United States of America.

Ms. Kennedy (United States of America): The United States recognizes the world's growing dependence on space-based capabilities and the need to ensure the long-term sustainability and stability of the space environment. Each member in this forum, of course, has its own vision of how this goal should be achieved. Some of us suggest we begin legally binding space arms control agreements negotiations. The United States is prepared to engage in substantive discussions on space security as part of a consensus programme of work, and is willing to consider space arms control proposals and concepts that are equitable, effectively verifiable, and enhance the national security of United States partners and allies. However, we have not yet seen a proposal that meets these criteria. There are, however, many areas that unite us rather than divide us and many ways forward in which we do agree. It is in these areas, I believe, that we should focus on making progress in the near term.

We can all agree for example, on the need to develop near-term, voluntary and pragmatic space transparency and confidence-building measures (TCBMs). Whether they address important areas such as hazards to space flight safety and collision avoidance, or reduce tensions through the sharing of information, TCBMs help to increase familiarity and trust and encourage openness among space actors.

The United States is actively cooperating on TCBMs through the development and adoption of an international code of conduct for outer space activities, as are many other countries here today. In fact, as you noted yourself, Mr. President, the first multilateral experts meeting for the draft code of conduct is taking place today in Vienna. The United States views the European Union's draft code of conduct as a good foundation for developing a politically binding international code of conduct focused on the use of voluntary and pragmatic TCBMs. An international code of conduct, if adopted, would establish a political commitment to reduce the hazards of accidental and purposeful debris-generating events. Moreover, it would increase the transparency of operations in space to minimize the danger of collisions, and further cooperation in areas we all recognize as crucial for ensuring stability and sustainability in space. The United States looks forward to continuing to engage with the rest of the international community on this initiative in the months to come.

The United States greatly looks forward to next month's first meeting of the group of government experts (GGE) on outer space TCBMs. We believe the GGE can serve as a constructive mechanism to examine voluntary and pragmatic TCBMs with the potential to mitigate the dangers and risks in an increasingly contested and congested space environment, enhance stability and security, and promote responsible operations in space.

Earlier this year, United States Secretary of State Hillary Clinton stated that "The long-term sustainability of our space environment is at serious risk from space debris and

irresponsible actors. Unless the international community addresses these challenges, the environment around our planet will become increasingly hazardous to human space flight and satellite systems, which would create damaging consequences for all of us.”

The world is increasingly interconnected through, and increasingly dependent on, space systems, but space is increasingly at risk. There will always be differing views on how to best ensure stability and sustainability in space. We should not focus on what divides us, but instead on those efforts we can agree to now that will lay the groundwork for progress and sustain space for future generations.

The President: I thank the representative of the United States of America for her statement and I now give the floor to the representative of Pakistan.

Mr. Khan (Pakistan): We welcome the opportunity provided for discussion on the prevention of an arms race in outer space, an issue that we believe requires immediate consideration by the Conference on Disarmament.

It is important for the international community to ensure that the use of outer space is limited to peaceful purposes and it remains the common heritage of mankind. The weaponization of outer space would not only endanger the peaceful uses of outer space but would also aggravate the intensity of conflicts on earth. Therefore, if such weaponization is not prevented, it could have disastrous consequences for international peace and security.

The pace of technological change is creating serious challenges for space security. For developing countries, space security is not an esoteric subject removed from their immediate concerns. Today developing countries are dependent on space technology in diverse areas ranging from meteorology and disaster management to economy and telecommunications and their dependence is set to grow rapidly in the years to come.

It is against this backdrop that Pakistan has consistently opposed weaponization of outer space and has called for negotiations in the Conference on prevention of an arms race in outer space. We feel that now may be the best time for multilateral negotiations to preempt any weaponization of outer space.

Traditionally, a major problem with arms control has been literally closing the door after the horse has bolted, or in other words, trying to take action after the fact. Thus, for example, we had to wait for production of thousands of tons of chemical weapons before serious negotiations on CWC could be launched. We should not let this be repeated in the case of space weaponization.

Certain powerful States opposed to any meaningful action on this issue in the Conference may be trying to protect their monopoly on this technology and maintain their full spectrum dominance but going by past experience we all know that such monopolies do not last for ever. Other countries will play catchup. Anyone can see the potential of space technology and diffusion of such technology in the international system. If we do not cap the possibility of weaponization of outer space now, it may become extremely difficult to do so in the future.

It is also important to understand that the days of negotiating discriminatory multilateral treaties are gone. Developing countries are not going to carry the burden of non-proliferation in space technologies. Access to technology for peaceful uses of outer space is their right and they will not allow any impediment to it.

It has been 30 years since the Conference started consideration of PAROS. Irrespective of the Conference’s inability to start negotiations on this issue, its importance has grown over the years. Indeed, in the Final Document of the first special session of the General Assembly devoted to disarmament, more than 30 paragraphs relate to the dangers of, and urgency of preventing, an arms race in its various aspects and paragraph 80 of that

document specifically recommends undertaking appropriate international negotiations on prevention of an arms race in outer space.

The existing international regime pertaining to outer space, including the Outer Space Treaty of 1967 and the Moon Treaty, has gaps, which can only be addressed by a new legal instrument. In this regard, the Conference on Disarmament, being the sole multilateral disarmament negotiating forum, has the primary responsibility to negotiate and conclude a multilateral treaty or treaties on the prevention of an arms race in outer space.

Our calls for focused discussions and negotiations on the issue of PAROS in the Conference are consistent with the relevant resolutions of the United Nations General Assembly. As in the past, in 2011, United Nations General Assembly resolution 66/27 recognized that “negotiations for the conclusion of an international agreement or agreements to prevent an arms race in outer space remain a priority task of the Conference on Disarmament”. If we are not able to establish a subsidiary body on a core issue of the Conference which has been on this agenda for 30 years we would like to know the reasons that prevent further progress. Only a clear expression of underlying reasons would enable us to understand how commencement of substantive work on PAROS would negatively affect the security interests of the States that oppose commencing negotiations on this issue. In any case, these States should acknowledge their responsibility in perpetuating the Conference’s deadlock.

If we were to begin substantive work on PAROS in the Conference, we would not have to start from scratch. Substantial work has been done in the Conference by ad hoc committees on PAROS from 1985 to 1992. Moreover, the draft text tabled jointly by the Russian Federation and China in 2008, commonly referred to as PPWT, also provides a useful basis to commence negotiations. We, therefore, see no impediment in starting substantive work on PAROS in the Conference.

Pakistan views with interest various initiatives that have been put forward in recent past regarding transparency and confidence-building measures for activities in outer space. While such proposals can be useful interim steps, they cannot and should not obviate the need and quest for a legally binding treaty on PAROS in the Conference.

The President: I thank the representative of Pakistan for his statement and I now give the floor to the representative of Iran.

Mr. Daryaei (Islamic Republic of Iran): I use this opportunity to express our appreciation on the manner that you are presiding over the Conference and I assure you of the full cooperation of my delegation.

Outer space is a common heritage of mankind and must be used, explored and utilized for peaceful purposes and for the benefit and interest of all mankind in a spirit of cooperation. The role of space technology in our daily life is pretty clear. Its indispensable role is ever increasing and outer space is essential to everyday life. It has many applications in the fields of telecommunications, banking, agricultural planning, natural resources, protection and early warning of extreme environmental events and the extent of global warming. The United Nations Millennium Development Goals re-emphasize and provide a useful approach to space development for the next generation. Thus we should prepare the ground for the next generation to fully incorporate the use of space to ensure that the Millennium Goals are met, especially in developing countries. All efforts should be made in order to secure the use of outer space solely for the well-being and prosperity of all nations around the world.

All States have an inalienable right to access outer space for research and peaceful use based on the 1967 Outer Space Treaty. Therefore, it is natural that space security should be our common goal. The ever-increasing growth of space activities may also engender a

growing risk of an arms race and uncertainty in space security. The more we depend on space, the more we need space security. Therefore it is more urgent than ever before that space remain a peaceful domain.

We ask all countries to respect outer space as the global heritage of all mankind by making this environment safe and secure for all human beings. States must join their efforts in search of a way to consolidate space security and stability, because one depends critically on the other.

The Islamic Republic of Iran, as a spacefaring nation, has consistently supported the prevention of an arms race in outer space and is of the strong view that every effort should be made to keep outer space out of any weaponization or any arms race. I see merits in the view that a coherent and coordinated approach between the Conference on Disarmament, the General Assembly and COPUOS is required with regard to the peaceful use of outer space.

PAROS was first introduced to the Conference in 1981 by General Assembly resolution 36/97C. The following year, it was listed as a Conference agenda item. From 1985 to 1994, the Ad Hoc Committee on PAROS in the Conference produced 10 annual reports which contribute to the better understanding of the issue and preparation for the formal negotiations. Although PAROS is one of the Conference's four core agenda issues and has been included in all proposals since 1982 for the Conference's programme of work and there has been a growing demand in the international community to see concrete measures taken to strengthen space security, unfortunately since 1995 the Conference has not been able to start its negotiations on a legally binding instrument for PAROS under its agenda item. We believe that the Conference should remain the primary forum for political, legal, technical and institutional negotiation and for constructing any new legal instruments on the PAROS issue.

The goal of space security should be to secure and sustain freedom in space for all. The serious threat to peaceful uses of outer space is the development of anti-satellite weapons and anti-ballistic missile systems. Technologies developed for missile defence have many potential applications that could threaten space-based assets. This threat would be doubled when some countries develop their complicated space-to-earth strike capability.

Seeking dominance of space is a misguided and self-defeating route to space security. It took several decades of the Cold War arms race for the nuclear Powers to realize that a nuclear war could never be won. We should not replicate the past in regard to space. For strategic and military dominance in space, a State would need to develop a complicated space weapons programme. This would include planning for a space war and therefore would give rise to an arms race. Weaponization of space will not therefore bring security even for the country concerned. The weaponization of space will trigger unforeseeable results, similar to those at the beginning of the nuclear era. Weapons development in outer space by one State will unavoidably ignite a chain reaction, and risk an escalation of an arms race both in space and on earth.

The growing number and diversity of actors in space as well as of rapid technologies, necessitate the protection of an operating environment, particularly with respect to preventing space debris to mitigate the risk of collision. Space debris is an indiscriminate threat for all spacefaring nations and all space users. It is noteworthy that the international guidelines agreed by COPUOS are only a confidence-building voluntary measure and would not create a legally binding obligation.

In our view the current legal framework on this issue at hand is not sufficient to deal with all the security matters related to outer space. There is a need for legally binding arrangements to keep outer space out of any weaponization and arms race. The draft PPWT presented to the Conference by Russia and China in 2008 is a positive step which deserves

further consideration and provides a good basis for further discussions and may lead to eventual PAROS negotiations.

There might be a need for further discussion about the possible elements of a successful verification regime for a legally binding instrument on PAROS but we are sure that based on experiences in the field of other international instruments and the proper use of science and technology there would be an effective verification system for a treaty banning weaponization of outer space.

My delegation is fully prepared to work through the Conference on the possible ways to secure the use of outer space solely for peaceful purposes. We support the start of negotiations in the Conference on conclusion of a legally binding treaty, to fully ban the possibility of an arms race in outer space.

The President: I thank the representative of Iran for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Japan.

Mr. Amano (Japan): For many years now, the Government of Japan has been actively promoting the peaceful use of outer space, while in principle supporting the idea of preventing an arms race in outer space (PAROS). From this standpoint, Japan has been participating in the discussions on this agenda item within the Conference on Disarmament, as well as various other international forums.

While the importance of outer space use increases, it has become necessary to construct further norms, in addition to the existing international agreements and rules, including the Outer Space Treaty; therefore, we welcome the efforts concerning the various proposals that are under discussion today as a positive signal in this direction. As our work in the Conference will cover an extensive time period and will dictate the global orientation of outer space norms, we must, after due deliberation, forge something practical as well as universal which satisfies all nations. From this point of view, Japan is committed to comprehensively examining and discussing various issues related to the prevention of an arms race in outer space. In this connection, Japan considers that there are a number of issues that need to be carefully examined in the draft treaty on the prevention of the placement of weapons in outer space that was jointly presented to the Conference by China and Russia in 2008.

Against the backdrop of the growing reliance on outer space by our societies, space debris constitutes a threat to space activities and potentially limits the effective deployment and exploitation of associated space capabilities. As such, Japan regards discussions on possible measures to effectively ban ASAT that focuses on the safe operation of satellites, as an issue worthy of consideration in order to prevent the creation of further space debris.

We also acknowledge that transparency and confidence-building measures are important elements for preventing an arms race in outer space. In January, Foreign Minister Gemba expressed Japan's support for the EU initiative, which is being formally launched in Vienna today, and its willingness to actively participate in the international discussion for the development of an international code of conduct for outer space activities. We also hope that the Group of Governmental Experts that is to be set up in accordance with the United Nations General Assembly resolution on transparency and confidence-building measures in outer space activities will produce effective measures that contribute to maintaining international peace and security, promoting international cooperation, and preventing an arms race in outer space.

The President: I thank the representative of Japan for his statement and I now give the floor to the representative of Algeria.

Mr. Khelif (Algeria) (*spoke in Arabic*): Mr. President, I should like to say, first of all, that His Excellency Ambassador Boudjemaa Delmi, who recently arrived in Geneva,

was unable to attend this important meeting today. He asked me to convey his warm greetings to you on your assumption of the presidency of the Conference and to assure you of the Algerian delegation's full support for you and for the presidents of this session. I also wish to express our deep gratitude to your predecessor, His Excellency the Ambassador of Ethiopia, for his efforts.

(continued in French)

The Algerian delegation wishes to state that Algeria supports all initiatives and efforts aimed at preserving outer space for peaceful uses.

The Algerian delegation has no prepared statement on today's question. It wishes only to thank you for your preliminary statement on the question, in which you sought to give us a historic overview of negotiations in the Conference on Disarmament on a treaty on the prevention of an arms race in outer space. In addition, we would also like to refer to three essential elements. We are not seeking to supplement your statement, Mr. President, only to highlight three key points.

The first point is that the question of the prevention of an arms race in outer space is before us for consideration pursuant to the Conference reference document, i.e., the Decalogue, which was adopted at the first special session of the General Assembly devoted to disarmament, in particular paragraph 80 thereof, to which the Ambassador of Pakistan has referred. That is the legal and political basis which concerns us, which requires us to discuss this important matter with a view to negotiating and concluding legally binding instruments to prevent outer space from being used for military purposes. In order to do this, and this is my second point, we consider that the database, or rather the compilation, which has been prepared by the secretariat on the four main issues, including the question of the prevention of an arms race in space, is a very useful source of information that allows us to know the status of the negotiations and discussions on this issue. The third and last point is the very basis of this negotiation. As indicated in paragraph 80 of the Decalogue, these negotiations must correspond to the spirit of the Treaty on Principles Governing Activities of States in the Exploration and Use of Outer Space, that is to say, ultimately preserving outer space for peaceful purposes. The Algerian delegation will return to this matter at a later stage.

The President: I thank the representative of Algeria for his statement and also for the kind words addressed to the Chair. I see that the delegation of the Russian Federation wishes to take the floor.

Mr. Vasiliev (Russian Federation) *(spoke in Russian)*: Since my delegation has already spoken, I apologize for speaking yet again. I wish simply to recall that you invited us to participate as actively as possible in the discussion, and I hope the forthcoming discussion will be interactive, as you have suggested.

In this regard, I would like to make several comments or, more accurately, to answer some questions raised by the distinguished representative of France, among others. In the fourth paragraph of his statement, he asked three specific questions. I shall begin with the second.

How to formulate a detailed ban on the development of land-based anti-satellite weapons, which constitute the most advanced weapons systems? As I understand the question, it casts doubt on the feasibility of developing such a ban. I myself have a question on this. You have referred, in introducing the UNIDIR document, to the paper submitted in 1981 by the Western European and Others Group. I quote from your statement:

(continued in English)

“In 1981, the Western European and Others Group asked the Conference on Disarmament to negotiate a treaty to ban anti-satellite weapons.”

(continued in Russian)

Accordingly, as I understand it, in 1981 the Group had proposals on how to solve the problem of anti-satellite weapons. It therefore seems likely that the Group could now make concrete proposals on this matter.

The third question is how to put forward a reliable mechanism for the verification and control of space weapons? Again, if I understand the question correctly, it casts doubt on the feasibility of developing such a mechanism. The paper presented by the European Union addresses this point. I again quote, from the final paragraph on the first page:

(continued in English)

“As a matter of principle, an effective and robust verification system must be an integral part of any future treaty concerned with space security.”

(continued in Russian)

In other words, as I understand it, the European Union does not question the need to develop a verification mechanism. Here again, a question arises: perhaps the European Union might share with us its preliminary work on aspects of such a verification mechanism?

Now, as to the third question raised by the distinguished representative of France, regarding precise terminology, and specifically, the term “weapons in outer space”: How to develop this notion, and how to reach a consensus on it? Well, unless we hold discussions, then we will not be discussing anything, and we certainly will not resolve anything. But in 2008 and 2009, special talks were held on this issue at the Conference. They are reflected in a document that many delegations have mentioned: document CD/1872, of 18 August 2009, which summarizes the discussions of definitions, including of weapons in outer space.

In conclusion, I would like once again to urge that our forthcoming discussions should be more focused. If any delegations have specific questions, proposals or ideas, then we will comment on them and address them with great interest. As I understand it, this is the object and purpose of this body.

The President: I thank the delegation of the Russian Federation for these comments and very much welcome this possibility for an interactive exchange. Also, as we are in plenary, the questions and possible comments will be duly reflected and there is also a possibility to return to them at a later stage. I recognize two requests for the floor, from Algeria and from Belarus. Do they refer to the three questions put forward by the delegation of the Russian Federation? Algeria.

Mr. Khelif (Algeria) *(spoke in French)*: I should like to raise other questions, if I may.

The President: Same questions, raised by the Russian Federation.

Mr. Grinevich (Belarus) *(spoke in Russian)*: We would also like to share a number of comments on today’s discussions.

The President: First to the question related to or raised by the delegate of the Russian Federation. If the presidency has understood correctly you raised three specific questions, two relating to the statement by France and one to the statement of Denmark on behalf of the European Union, relating to earlier references to ASAT weapons in proposals made in 1981, then on terminology, then the question of how verification was referred to in

the European Union statement. I see that the representative of the European Union has left but I recognize the representative of France asking for the floor. So would you want to respond to the questions made by the representative of the Russian Federation? Please, you have the floor.

Mr. Simon-Michel (France) (*spoke in French*): I raised these questions with a view to showing that the issue was complex and would require a genuine discussion, a genuine negotiation, and would take time. This is why our countries have decided to engage in the negotiation of documents or, should we say, in negotiations that may more quickly achieve a concrete and more immediate result. That will fundamentally be the aim of the Group of Governmental Experts and the code of conduct that is being discussed today. By no means did I mean — and I am sorry if it was taken in this way — that these questions were not capable of being answered. Of course, we believe that a solution can be found in the framework of our discussions on the prevention of an arms race in space; I believe that these are difficult questions and the statement by our Russian colleague clearly shows the urgent need for our Conference to adopt a programme of work which will allow us to get to the bottom of these issues, to discuss them thoroughly and to negotiate them.

The President: I wish to ask if the delegate of the Russian Federation wishes to respond to the response. Also, with regard to my statement and the reference to the Group of Western European and Other States initiative from 1981, I think this shows the value of making this kind of an introductory statement as we will all need to refer to the original documentation to carry this discussion forward. Russian Federation, please.

Mr. Vasiliev (Russian Federation): My intent was not to raise any questions. I was just trying to refer to some of the questions raised in the statement by the distinguished representative of France by using the very same portions devoted to that issue either in your presentation of the UNIDIR paper or in the paper presented by the European Union. Once again I just want to share the view that was expressed by the representative of France, that we need to discuss and urgently adopt a programme of work and to have a substantial discussion on all those core issues, including those that were raised by the distinguished representative of France.

The President: So I now give the floor to the representative of Algeria on other topics or questions.

Mr. Khelif (Algeria) (*spoke in French*): The Algerian delegation would like to take this opportunity to follow up on what has been underlined by the representative of the Russian Federation about stimulating discussion and having an interactive debate. We would, in particular, like to address the question of the European Union's code of conduct and we would also like to take advantage of the presence of the delegations of that group of countries to help us better understand this instrument, which will certainly be debated at a later stage. We have not examined the content of the document but we note that the draft code of conduct is based on three principles. Our attention is drawn in particular to the second and third principles. The second principle states that the code of conduct is aimed at the preservation of the security and integrity of space objects in orbit. Preservation of security and integrity from who and what? From accidents or deliberately hostile acts? The third principle also states that the code of conduct gives due consideration to legitimate security and defence interests. We would like to know how, in practice, in actual fact, we are going to reconcile the principle designed to ensure the integrity and security of space objects in orbit with the third principle concerning legitimate security and defence interests. We believe that a discussion on this issue could enlighten us, even with regard to the treaty proposed by the Russian Federation and China on the prevention of the placement of weapons in outer space.

The President: I now give the floor to the representative of Belarus.

Mr. Grinevich (Belarus) (*spoke in Russian*): Our delegation would also like to support your efforts to make our discussions more interactive, Mr. President.

I should like to share the following preliminary conclusions about today's discussion.

Our delegation agrees that the problem of research and exploration of space for peaceful purposes requires a comprehensive solution. We acknowledge the importance of work being done in other international forums where these subjects are being discussed, such as the Committee in Vienna and the Group of Governmental Experts on Transparency and Confidence-building.

However, we wish to draw attention to the fact that the issue before us here — the question we are now discussing — is the prevention of an arms race in outer space. Unfortunately, many delegations readily cite what is happening in other forums, but in fact do not wish to undertake concrete discussions and debates on the issue — and again, I quote — the issue of the “prevention of an arms race in outer space”. Nevertheless, in the forthcoming discussions, the majority of statements must be devoted to this issue. Today's discussion has shown that the main problem within the framework of the Conference is the lack of the political will to do concrete work on the specific items on its agenda, because many of the issues that arise in the context of the fissile material cut-off treaty come up here as well. The fear of getting down to practical work cannot be justified by citing issues that are supposedly not yet resolved.

The President: I would wish to specifically thank you for this possibility of interactive comments and it would be my understanding that, as we have the schedule of activities agreed for the Conference for this season and there is another specific session dedicated to PAROS which will be on 31 July, there would be then an obligation, or an expectation at least, for delegations to answer the specific questions which have been raised now in this interactive discussion, and this refers specifically to the Algerian questions on the code of conduct of the European Union which is the latest draft, being introduced today. So, I think this concludes my list of speakers. I would ask again if any other delegation wishes to take the floor. If this is not the case, this concludes our business for today and the next plenary meeting of the Conference will be held on Tuesday, 12 June, at 10 a.m. and will focus on the issue of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

The meeting rose at 12.15 p.m.



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